

Richard Reynolds, Chairman
Big Lost River Irrigation District
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March 12, 2005

State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Distribution of Water for District 34

Dear Mr. Spackman:

According to Rule 10 of IDAPA 37.03.12, Definitions, Storage Water is "Water impounded in a storage facility, including the Mackay Reservoir, pursuant to a water right which includes storage as a purpose of use." Is there a difference between the "impounded" water discussed in these rules, and the "Storage Water Rights" of the Big Lost River Irrigation District?

Does IDWR control the method of shrinkage used for the "Storage Water Rights" held by BLRID or is that decision left to the Board of Directors of the district? The current manager contends that Rule 040.03.b implies all water stored in the Mackay Reservoir should be charged shrinkage according to "river reaches" rather than "universal shrinkage". At a meeting in your office earlier this year, I understood this rule was for "purposes of quantifying river gains, losses, and calculating and accounting for natural flow".

Should more water than is actually decreed be sent out the canals during the off season for stock water? The last few years, from the time the "futile call" is made until the canals freeze, all the natural flow is diverted out the canals above the Blaine Diversion rather than flowing down the river for senior stock water or for "recharge" of the lower basin.

Your response would be greatly appreciated before the next board meeting, April 5, 2005. Thank you.

Sincerely,

Rick Reynolds
by Nancy McDonald